

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|---------------------------------|---|--------------------------------------|
| HAMILTON BROWN, |) | |
| |) | 2:15-cv-1238 |
| Plaintiff, |) | Electronic Filing |
| |) | |
| v. |) | District Judge David Stewart Cercone |
| |) | Magistrate Judge Lisa Pupo Lenihan |
| HONORABLE ROBERT LUTTI, et al., |) | |
| |) | ECF No. 6 |
| Defendants. |) | |
| |) | |
| |) | |

MEMORANDUM ORDER

Plaintiff commenced this lawsuit by filing a Complaint and Motion for Leave to Proceed *in forma pauperis* in the U.S. District Court for the District of Columbia at No. 1:15-cv-01424 on August 31, 2015. Subsequently, this action was transferred to this District on September 23, 2015, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D. The Magistrate Judge granted the Motion for Leave to Proceed *in forma pauperis* on September 24, 2015.

Prior to service of the Complaint, on September 24, 2015, the Magistrate Judge issued a Report and Recommendation (ECF No. 6), recommending that the Complaint be dismissed without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B)(i). Plaintiff failed to provide an address of record with any of his filings in this civil action. However, in another lawsuit filed by Plaintiff in the U.S. District Court for the Middle District of

Alabama, which was transferred to this District on September 2, 2015 and docketed at Case No. 2:15-cv-1154, Plaintiff provided the following address of record: U.S. Steel Tower, 600 Grant Street, Suite 660, Pittsburgh, PA 15219. Service of the Report and Recommendation (ECF No. 6) in the instant matter was made on Plaintiff at his address of record in Case No. 2:15-cv-1154 via U.S. Mail on October 15, 2015. See Text Order (ECF No. 7). Plaintiff was informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that he had fourteen (14) days to file any objections. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation and objections thereto, the following Order is entered:

AND NOW, this 10 day of November, 2015,

IT IS HEREBY ORDERED that the Complaint (ECF No. 1) filed by Plaintiff, Hamilton Brown, is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 6) of Magistrate Judge Lenihan, dated September 24, 2015, is adopted as the opinion of the Court. The Clerk shall mark this case CLOSED.

DS Cercane

David Stewart Cercane
United States District Judge

cc: Hamilton Brown
U.S. Steel Building
600 Grant Street
Suite 660
Pittsburgh, PA 15219

(Via First Class Mail)